

Press Release

United States District Court for District of Utah

May 19, 2009 @ 3:30 pm

Utah's quintessential trial judge, the Honorable David Kent Winder, died on Tuesday, May 19, 2009, at the age of 76. He was preceded in death by his wife, Pamela Martin Winder, and is survived by his three children and spouses Ann (Larry) Bugni, Kay (James) Mitchell, and James (Shawn) Winder.

Born in Salt Lake City in 1932, David K. Winder graduated from Granite High School. He served in the United States Air Force from 1951 to 1952. He obtained an English degree from the University of Utah (1955) and went on to graduate from Stanford Law School (J.D. 1958). He became an assistant U.S. attorney in 1963 and was appointed chief deputy district attorney in 1965. From 1966 until 1977 he was a partner at the Salt Lake City law firm Strong & Hanni.

Former Governor Scott Matheson named Winder to Utah's Third District court bench in 1977. A year later, he was voted Judge of the Year by the Utah State Bar. Judge Winder served as a state court judge for three years, and during that time earned the nickname "Decent Dave" Winder.

In 1979, President Jimmy Carter appointed Judge Winder to the federal district bench. At his investiture ceremony, Judge Winder quoted Sir Thomas More, in *A Man for all Seasons* stating: "The law is not a light for any man to see by. The law is not an instrument of any kind. The law is a causeway upon which, so long as he keeps it lit, a citizen may walk safely." Judge Winder continued, saying, "I hope that during the many years that I plan to spend on the bench, that I will not encumber that causeway, and will, in some small way, help to keep it safe for the passage of our citizens." Judge Winder has done just that.

His impartial, consistent, and courteous style won him numerous awards over the years. For example, in 1983 *The American Lawyer* magazine named Winder the best district judge in the Tenth Circuit, describing Judge Winder as "the best of a new breed of younger, more professional judges." The magazine praised him for being well prepared, moving cases along quickly, and his "compulsion to master the details of every matter before oral argument."

In 1996 Judge Winder was the highest rated judge among 98 state and federal trial judges in a statewide poll of attorneys conducted by the *Salt Lake Tribune*.

Judge Winder's zeal for preparation and punctuality was legendary. He was known to work from 6 a.m. to 6 p.m. on weekdays, as well as many Saturdays, reading every memorandum and affidavit and, in many cases, every deposition, before oral argument.

But what set him apart as the quintessential trial judge was his humanity—that is—his compassion and respect for other human beings and his own humility. According to friend and colleague Fran Wikstrom, Judge Winder was "always mindful of the human consequences of [his] decisions. His compassion partly explains why the losing parties before Judge Winder generally walk out of the courtroom feeling they have been listened to and treated fairly. He treats every person in his courtroom with the utmost respect, from lawyers, to parties, to witnesses, to court staff. And he does so with a complete lack of self importance."

Judge Winder was greatly respected, greatly admired, greatly loved, and will be greatly missed by everyone at the court and in the legal community.

Memorial services are still being planned.

For further information, including additional comments from attorneys and significant legal decisions contact Alison_Adams@utd.uscourts.gov